

HOUSE BILL 364

R5

(4lr0525)

ENROLLED BILL

— *Environment and Transportation/Judicial Proceedings* —

Introduced by **Prince George’s County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o’clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Prince George’s County – ~~Traffic Control Device~~ Stop Sign Monitoring Systems**
3 **– Authorization**

4 **PG 301–24**

5 FOR the purpose of authorizing the use of ~~traffic control device~~ stop sign monitoring
6 systems in school zones ~~by State and local agencies~~ in Prince George’s County, if
7 authorized by local law; providing that the owner or driver of a motor vehicle
8 recorded failing to obey a ~~traffic control device~~ stop sign is subject to a citation and a
9 certain civil penalty under certain circumstances; establishing certain defenses to a
10 charge of an alleged violation recorded by a ~~traffic control device~~ stop sign monitoring
11 system; prohibiting a contractor administering a ~~traffic control device~~ stop sign
12 monitoring system from being compensated in a certain manner; and generally
13 relating to the use of ~~traffic control device~~ stop sign monitoring systems in Prince
14 George’s County.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
2 Article – Courts and Judicial Proceedings
3 Section 4–401(13), 7–302(e)(1) through (3) and (4)(i), and 10–311
4 Annotated Code of Maryland
5 (2020 Replacement Volume and 2023 Supplement)

6 BY repealing and reenacting, without amendments,
7 Article – Transportation
8 Section ~~21–201(a)~~ 21–707
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2023 Supplement)

11 BY adding to
12 Article – Transportation
13 Section ~~21–201.1~~ 21–707.1
14 Annotated Code of Maryland
15 (2020 Replacement Volume and 2023 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – Courts and Judicial Proceedings**

19 4–401.

20 Except as provided in § 4–402 of this subtitle, and subject to the venue provisions of
21 Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

22 (13) A proceeding for a civil infraction under ~~§ 21–201.1~~, § 21–202.1, §
23 21–704.1, § 21–706.1, § 21–707.1, § 21–809, § 21–810, § 21–1134, or § 24–111.3 of the
24 Transportation Article or § 10–112 of the Criminal Law Article;

25 7–302.

26 (e) (1) (i) A citation issued pursuant to ~~§ 21–201.1~~, § 21–202.1, § 21–706.1,
27 § 21–707.1, § 21–809, § 21–810, § 21–1134, or § 24–111.3 of the Transportation Article
28 shall provide that the person receiving the citation may elect to stand trial by notifying the
29 issuing agency of the person’s intention to stand trial at least 5 days prior to the date of
30 payment as set forth in the citation.

31 (ii) On receipt of the notice to stand trial, the agency shall forward
32 to the District Court having venue a copy of the citation and a copy of the notice from the
33 person who received the citation indicating the person’s intention to stand trial.

1 (iii) On receipt thereof, the District Court shall schedule the case for
2 trial and notify the defendant of the trial date under procedures adopted by the Chief Judge
3 of the District Court.

4 (2) (i) A citation issued as the result of a vehicle height monitoring
5 system, a traffic control signal monitoring system, [or] a speed monitoring system,
6 including a work zone speed control system, ~~OR A TRAFFIC CONTROL DEVICE STOP SIGN~~
7 ~~MONITORING SYSTEM~~ controlled by a political subdivision, a school bus monitoring
8 camera, or a bus lane monitoring system shall provide that, in an uncontested case, the
9 penalty shall be paid directly to that political subdivision.

10 (ii) A citation issued as the result of a traffic control signal
11 monitoring system or a work zone speed control system controlled by a State agency, or as
12 a result of a vehicle height monitoring system, a traffic control signal monitoring system, a
13 speed monitoring system, ~~A TRAFFIC CONTROL DEVICE STOP SIGN MONITORING~~
14 ~~SYSTEM~~, a school bus monitoring camera, or a bus lane monitoring system in a case
15 contested in District Court, shall provide that the penalty shall be paid directly to the
16 District Court.

17 (3) Civil penalties resulting from citations issued using a vehicle height
18 monitoring system, traffic control signal monitoring system, speed monitoring system,
19 work zone speed control system, ~~TRAFFIC CONTROL DEVICE STOP SIGN MONITORING~~
20 ~~SYSTEM~~, school bus monitoring camera, or bus lane monitoring system that are collected
21 by the District Court shall be collected in accordance with subsection (a) of this section and
22 distributed in accordance with § 12–118 of the Transportation Article.

23 (4) (i) Except as provided in paragraph (5) of this subsection, from the
24 fines collected by a political subdivision as a result of violations enforced by speed
25 monitoring systems, ~~TRAFFIC CONTROL DEVICE STOP SIGN MONITORING SYSTEMS~~,
26 school bus monitoring cameras, or bus lane monitoring systems, a political subdivision:

27 1. May recover the costs of implementing and administering
28 the speed monitoring systems, school bus monitoring cameras, or bus lane monitoring
29 systems; and

30 2. Subject to subparagraphs (ii), (iii), and (iv) of this
31 paragraph, may spend any remaining balance solely for public safety purposes, including
32 pedestrian safety programs.

33 10–311.

34 (a) A recorded image of a motor vehicle produced by a traffic control signal
35 monitoring system in accordance with § 21–202.1 of the Transportation Article is
36 admissible in a proceeding concerning a civil citation issued under that section for a
37 violation of § 21–202(h) of the Transportation Article without authentication.

(b) A recorded image of a motor vehicle produced by a speed monitoring system in accordance with § 21-809 or § 21-810 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of Title 21, Subtitle 8 of the Transportation Article without authentication.

(c) A recorded image of a motor vehicle produced by a school bus monitoring camera in accordance with § 21-706.1 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21-706 of the Transportation Article without authentication.

(d) A recorded image of a motor vehicle produced by a vehicle height monitoring system in accordance with § 24-111.3 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of a State or local law restricting the presence of certain vehicles during certain times without authentication.

(e) A recorded image of a motor vehicle produced by a bus lane monitoring system in accordance with § 21-1134 of the Transportation Article is admissible in a proceeding concerning a civil citation issued under that section for a violation of § 21-1133 of the Transportation Article without authentication.

A RECORDED IMAGE OF A MOTOR VEHICLE PRODUCED BY A ~~TRAFFIC CONTROL DEVICE STOP SIGN~~ MONITORING SYSTEM IN ACCORDANCE WITH ~~§ 21-201.1~~ § 21-707.1 OF THE TRANSPORTATION ARTICLE IS ADMISSIBLE IN A PROCEEDING CONCERNING A CIVIL CITATION ISSUED UNDER THAT SECTION FOR A VIOLATION OF ~~§ 21-201~~ § 21-707 OF THE TRANSPORTATION ARTICLE WITHOUT AUTHENTICATION.

(G) In any other judicial proceeding, a recorded image produced by a vehicle height monitoring system, traffic control signal monitoring system, speed monitoring system, work zone speed control system, ~~TRAFFIC CONTROL DEVICE STOP SIGN MONITORING SYSTEM~~, school bus monitoring camera, or bus lane monitoring system is admissible as otherwise provided by law.

Article – Transportation

~~21-201.~~

~~(a) (1) Subject to the exceptions granted in this title to the driver of an emergency vehicle, the driver of any vehicle, unless otherwise directed by a police officer, shall obey the instructions of any traffic control device applicable to the vehicle and placed in accordance with the Maryland Vehicle Law.~~

~~(2) The driver of a vehicle approaching an intersection controlled by a traffic control device may not drive across private property or leave the roadway for the purpose of avoiding the instructions of a traffic control device.~~

1 21-707.

2 (a) Unless otherwise directed by a police officer or traffic control signal, the driver
3 of a vehicle approaching a stop sign at an intersection shall stop at the near side of the
4 intersection at a clearly marked stop line.

5 (b) Unless otherwise directed by a police officer or traffic control signal, the driver
6 of a vehicle approaching a stop sign at an intersection shall stop at the near side of the
7 intersection and, if there is no clearly marked stop line, before entering any crosswalk.

8 (c) Unless otherwise directed by a police officer or traffic control signal, the driver
9 of a vehicle approaching a stop sign at an intersection shall stop at the near side of an
10 intersection and, if there is no crosswalk, at the nearest point before entering the
11 intersection that gives the driver a view of traffic approaching on the intersecting roadway.

12 (d) The driver of a vehicle approaching a yield sign at an intersection, if required
13 for safety to stop, shall stop at the near side of the intersection at a clearly marked stop
14 line.

15 (e) The driver of a vehicle approaching a yield sign at an intersection, if required
16 for safety to stop, shall stop at the near side of the intersection and, if there is no clearly
17 marked stop line, before entering any crosswalk.

18 (f) The driver of a vehicle approaching a yield sign at an intersection, if required
19 for safety to stop, shall stop at the near side of the intersection and, if there is no crosswalk,
20 at the nearest point before entering the intersection that gives the driver a view of traffic
21 approaching on the intersecting roadway.

22 ~~21-201.1.~~ 21-707.1.

23 (A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

24 (B) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) "AGENCY" MEANS:

27 ~~(I) A LAW ENFORCEMENT AGENCY THAT IS AUTHORIZED TO~~
28 ~~ISSUE A CITATION FOR A VIOLATION OF THE MARYLAND VEHICLE LAW OR OF LOCAL~~
29 ~~TRAFFIC LAWS OR REGULATIONS; OR~~

30 ~~(II) FOR A MUNICIPAL CORPORATION THAT DOES NOT~~
31 ~~MAINTAIN A POLICE FORCE, AN AGENCY ESTABLISHED OR DESIGNATED BY THE~~
32 ~~MUNICIPAL CORPORATION TO IMPLEMENT THIS SUBTITLE USING TRAFFIC~~
33 ~~CONTROL DEVICE MONITORING SYSTEMS IN ACCORDANCE WITH THIS SECTION.~~

1 (3) (I) “OWNER” MEANS THE REGISTERED OWNER OF A MOTOR
2 VEHICLE OR LESSEE OF A MOTOR VEHICLE UNDER A LEASE OF 6 MONTHS OR MORE.

3 (II) “OWNER” DOES NOT INCLUDE:

4 1. A MOTOR VEHICLE LEASING COMPANY; OR

5 2. A HOLDER OF A SPECIAL REGISTRATION PLATE
6 ISSUED UNDER TITLE 13, SUBTITLE 9, PART III OF THIS ARTICLE.

7 (4) “RECORDED IMAGE” MEANS IMAGES RECORDED BY A ~~TRAFFIC~~
8 ~~CONTROL DEVICE~~ STOP SIGN MONITORING SYSTEM:

9 (I) ON:

10 1. TWO OR MORE PHOTOGRAPHS;

11 2. TWO OR MORE MICROPHOTOGRAPHS;

12 3. TWO OR MORE ELECTRONIC IMAGES;

13 4. VIDEOTAPE; OR

14 5. ANY OTHER MEDIUM; AND

15 (II) SHOWING A MOTOR VEHICLE AND, ON AT LEAST ONE IMAGE
16 OR PORTION OF TAPE, CLEARLY IDENTIFYING THE REGISTRATION PLATE NUMBER
17 OF THE MOTOR VEHICLE.

18 (5) “~~TRAFFIC CONTROL DEVICE~~ STOP SIGN MONITORING SYSTEM”
19 MEANS A DEVICE DESIGNED TO CAPTURE A RECORDED IMAGE OF A VIOLATION.

20 (6) (I) “VIOLATION” MEANS ~~A VIOLATION OF § 21-201 OF THIS~~
21 ~~SUBTITLE~~ A FAILURE TO COME TO A COMPLETE STOP AT A STOP SIGN IN VIOLATION
22 OF § 21-707 OF THIS SUBTITLE.

23 (II) “VIOLATION” DOES NOT INCLUDE ANY ACTION A DRIVER IS
24 INSTRUCTED TO TAKE BY A POLICE OFFICER.

25 (C) (1) SUBJECT TO PARAGRAPHS (2) THROUGH (5) OF THIS
26 SUBSECTION, AN AGENCY MAY USE ~~TRAFFIC CONTROL DEVICE~~ STOP SIGN
27 MONITORING SYSTEMS:

1 (I) ON HIGHWAYS LOCATED IN A SCHOOL ZONE MAINTAINED BY
2 A LOCAL JURISDICTION, IF AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL
3 JURISDICTION; OR

4 (II) ON STATE HIGHWAYS LOCATED IN A SCHOOL ZONE, IF
5 AUTHORIZED BY THE STATE HIGHWAY ADMINISTRATION.

6 (2) A ~~TRAFFIC CONTROL DEVICE~~ STOP SIGN MONITORING SYSTEM
7 ~~MAY~~;

8 (I) MAY NOT BE USED IN A LOCAL JURISDICTION UNDER THIS
9 SECTION UNLESS ITS USE IS AUTHORIZED BY THE GOVERNING BODY OF THE LOCAL
10 JURISDICTION BY LOCAL LAW ENACTED AFTER REASONABLE NOTICE AND A PUBLIC
11 HEARING; AND

12 (II) MAY ONLY BE USED AT A LOCATION APPROVED BY THE
13 PRINCE GEORGE'S COUNTY COUNCIL.

14 ~~(3) BEFORE A COUNTY MAY USE A TRAFFIC CONTROL DEVICE~~
15 ~~MONITORING SYSTEM ON STATE HIGHWAYS LOCATED WITHIN A MUNICIPAL~~
16 ~~CORPORATION, THE COUNTY SHALL:~~

17 ~~(I) OBTAIN THE APPROVAL OF THE STATE HIGHWAY~~
18 ~~ADMINISTRATION;~~

19 ~~(II) NOTIFY THE MUNICIPAL CORPORATION OF THE STATE~~
20 ~~HIGHWAY ADMINISTRATION'S APPROVAL OF THE USE OF THE TRAFFIC CONTROL~~
21 ~~DEVICE MONITORING SYSTEM ON THE STATE HIGHWAYS WITHIN THE MUNICIPAL~~
22 ~~CORPORATION; AND~~

23 ~~(III) GRANT THE MUNICIPAL CORPORATION 60 DAYS AFTER THE~~
24 ~~DATE OF THE COUNTY'S NOTICE TO THE MUNICIPAL CORPORATION TO ENACT AN~~
25 ~~ORDINANCE AUTHORIZING THE MUNICIPAL CORPORATION INSTEAD OF THE COUNTY~~
26 ~~TO USE A TRAFFIC CONTROL DEVICE MONITORING SYSTEM.~~

27 (3) ~~(I) NOT MORE THAN A TOTAL OF 10 STOP SIGN MONITORING~~
28 ~~SYSTEMS MAY BE PLACED IN THE COUNTY UNDER THIS SECTION.~~

29 ~~(II) THE COUNTY SHALL PRIORITIZE THE PLACEMENT OF STOP~~
30 ~~SIGN MONITORING SYSTEMS WITHIN MUNICIPALITIES THAT HAVE HIGH VIOLATION~~
31 ~~RATES.~~

32 (4) BEFORE BEGINNING USE OF ~~TRAFFIC CONTROL DEVICE~~ STOP
33 SIGN MONITORING SYSTEMS, AN AGENCY SHALL PUBLISH NOTICE THAT THE AGENCY

1 HAS ADOPTED THE USE OF ~~TRAFFIC CONTROL DEVICE~~ STOP SIGN MONITORING
 2 SYSTEMS ON ITS WEBSITE AND IN A NEWSPAPER OF GENERAL CIRCULATION IN THE
 3 JURISDICTION IN WHICH THE ~~TRAFFIC CONTROL DEVICE~~ STOP SIGN MONITORING
 4 SYSTEM WILL BE USED.

5 (5) (I) ~~A LOCAL JURISDICTION THAT USES A TRAFFIC CONTROL~~
 6 ~~DEVICE MONITORING SYSTEM~~ THE COUNTY SHALL PROMINENTLY PLACE SIGNS ON
 7 HIGHWAYS WITHIN THE ~~LOCAL JURISDICTION~~ COUNTY PROVIDING NOTICE THAT
 8 ~~TRAFFIC CONTROL DEVICE~~ STOP SIGN MONITORING SYSTEMS ARE USED IN THE
 9 ~~JURISDICTION~~ COUNTY.

10 (II) THE STATE HIGHWAY ADMINISTRATION SHALL PLACE
 11 SIGNS PROMINENTLY PROVIDING NOTICE THAT ~~TRAFFIC CONTROL DEVICE~~ STOP
 12 SIGN MONITORING SYSTEMS ARE IN USE ON STATE HIGHWAYS.

13 (D) A RECORDED IMAGE UNDER THIS SECTION INDICATING THAT THE
 14 DRIVER OF A MOTOR VEHICLE HAS COMMITTED A VIOLATION SHALL INCLUDE:

15 (1) THE TIME AND DATE OF THE VIOLATION; AND

16 (2) TO THE EXTENT POSSIBLE, THE LOCATION OF THE VIOLATION.

17 (E) (1) UNLESS THE DRIVER OF THE MOTOR VEHICLE RECEIVED A
 18 CITATION FROM A POLICE OFFICER AT THE TIME OF THE VIOLATION, THE OWNER
 19 OR, IN ACCORDANCE WITH SUBSECTION (F)(3) OR (H)(4) OR (5) OF THIS SECTION,
 20 THE DRIVER OF A MOTOR VEHICLE IS SUBJECT TO A CIVIL PENALTY IF THE MOTOR
 21 VEHICLE IS RECORDED BY A ~~TRAFFIC CONTROL DEVICE~~ STOP SIGN MONITORING
 22 SYSTEM DURING THE COMMISSION OF A VIOLATION.

23 (2) A CIVIL PENALTY UNDER THIS SUBSECTION MAY NOT EXCEED \$40.

24 (3) FOR PURPOSES OF THIS SECTION, THE DISTRICT COURT SHALL
 25 PRESCRIBE:

26 (I) A UNIFORM CITATION FORM CONSISTENT WITH
 27 SUBSECTION (F)(1) OF THIS SECTION AND § 7-302 OF THE COURTS ARTICLE; AND

28 (II) A CIVIL PENALTY, WHICH SHALL BE INDICATED ON THE
 29 CITATION, TO BE PAID BY PERSONS WHO CHOOSE TO PREPAY THE CIVIL PENALTY
 30 WITHOUT APPEARING IN DISTRICT COURT.

31 (F) (1) SUBJECT TO THE PROVISIONS OF PARAGRAPHS (2) THROUGH (5)
 32 OF THIS SUBSECTION, AN AGENCY SHALL MAIL TO THE OWNER LIABLE UNDER
 33 SUBSECTION (E) OF THIS SECTION A CITATION THAT SHALL INCLUDE:

1 (I) THE NAME AND ADDRESS OF THE REGISTERED OWNER OF
2 THE VEHICLE;

3 (II) THE REGISTRATION NUMBER OF THE MOTOR VEHICLE
4 INVOLVED IN THE VIOLATION;

5 (III) THE VIOLATION CHARGED;

6 (IV) TO THE EXTENT POSSIBLE, THE LOCATION OF THE
7 VIOLATION;

8 (V) THE DATE AND TIME OF THE VIOLATION;

9 (VI) A COPY OF THE RECORDED IMAGE;

10 (VII) THE AMOUNT OF THE CIVIL PENALTY IMPOSED AND THE
11 DATE BY WHICH THE CIVIL PENALTY MUST BE PAID;

12 (VIII) A SIGNED STATEMENT BY A TECHNICIAN EMPLOYED BY THE
13 AGENCY THAT, BASED ON THE INSPECTION OF THE RECORDED IMAGE, THE MOTOR
14 VEHICLE WAS BEING OPERATED DURING THE COMMISSION OF A VIOLATION;

15 (IX) A STATEMENT THAT THE RECORDED IMAGE IS EVIDENCE OF
16 A VIOLATION; AND

17 (X) INFORMATION ADVISING THE PERSON ALLEGED TO BE
18 LIABLE UNDER THIS SECTION:

19 1. OF THE MANNER AND TIME IN WHICH LIABILITY AS
20 ALLEGED IN THE CITATION MAY BE CONTESTED IN THE DISTRICT COURT; AND

21 2. THAT FAILURE TO PAY THE CIVIL PENALTY OR TO
22 CONTEST LIABILITY IN A TIMELY MANNER IS AN ADMISSION OF LIABILITY AND MAY
23 RESULT IN REFUSAL OR SUSPENSION OF THE MOTOR VEHICLE REGISTRATION.

24 (2) THE AGENCY MAY MAIL A WARNING NOTICE IN PLACE OF A
25 CITATION TO THE OWNER LIABLE UNDER SUBSECTION (E) OF THIS SECTION.

26 (3) (I) BEFORE MAILING A CITATION TO A MOTOR VEHICLE
27 RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION, AN AGENCY
28 SHALL MAIL A NOTICE TO THE MOTOR VEHICLE RENTAL COMPANY STATING THAT A
29 CITATION WILL BE MAILED TO THE MOTOR VEHICLE RENTAL COMPANY UNLESS,

1 WITHIN 45 DAYS AFTER RECEIVING THE NOTICE, THE MOTOR VEHICLE RENTAL
2 COMPANY PROVIDES THE AGENCY WITH:

3 1. A STATEMENT MADE UNDER OATH THAT STATES THE
4 NAME AND LAST KNOWN MAILING ADDRESS OF THE INDIVIDUAL DRIVING OR
5 RENTING THE MOTOR VEHICLE WHEN THE VIOLATION OCCURRED;

6 2. A. A STATEMENT MADE UNDER OATH THAT
7 STATES THAT THE MOTOR VEHICLE RENTAL COMPANY IS UNABLE TO DETERMINE
8 WHO WAS DRIVING THE VEHICLE AT THE TIME THE VIOLATION OCCURRED BECAUSE
9 THE MOTOR VEHICLE WAS STOLEN AT THE TIME OF THE VIOLATION; AND

10 B. A COPY OF THE POLICE REPORT ASSOCIATED WITH
11 THE MOTOR VEHICLE THEFT CLAIMED UNDER ITEM A OF THIS ITEM; OR

12 3. PAYMENT FOR THE PENALTY ASSOCIATED WITH THE
13 VIOLATION.

14 (II) AN AGENCY MAY NOT MAIL A CITATION TO A MOTOR
15 VEHICLE RENTAL COMPANY LIABLE UNDER SUBSECTION (E) OF THIS SECTION IF
16 THE MOTOR VEHICLE RENTAL COMPANY COMPLIES WITH SUBPARAGRAPH (I) OF
17 THIS PARAGRAPH.

18 (4) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION
19 AND SUBSECTION (H)(4) AND (5) OF THIS SECTION, A CITATION ISSUED UNDER THIS
20 SECTION SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER THE ALLEGED
21 VIOLATION.

22 (5) A PERSON WHO RECEIVES A CITATION UNDER PARAGRAPH (1) OF
23 THIS SUBSECTION MAY:

24 (I) PAY THE CIVIL PENALTY IN ACCORDANCE WITH
25 INSTRUCTIONS ON THE CITATION; OR

26 (II) ELECT TO STAND TRIAL FOR THE ALLEGED VIOLATION.

27 (G) (1) A CERTIFICATE ALLEGING THAT A VIOLATION OCCURRED, SWORN
28 TO OR AFFIRMED BY A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED
29 BY OR UNDER CONTRACT WITH AN AGENCY, BASED ON THE INSPECTION OF A
30 RECORDED IMAGE, SHALL BE EVIDENCE OF THE FACTS CONTAINED IN THE
31 CERTIFICATE AND SHALL BE ADMISSIBLE IN ANY PROCEEDING CONCERNING THE
32 ALLEGED VIOLATION.

1 **(2) ADJUDICATION OF LIABILITY SHALL BE BASED ON**
2 **PREPONDERANCE OF THE EVIDENCE.**

3 **(H) (1) THE DISTRICT COURT MAY CONSIDER IN DEFENSE OF A**
4 **VIOLATION:**

5 **(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THAT**
6 **THE MOTOR VEHICLE OR REGISTRATION PLATES OF THE MOTOR VEHICLE WERE**
7 **STOLEN BEFORE THE VIOLATION OCCURRED AND WERE NOT UNDER THE CONTROL**
8 **OR POSSESSION OF THE OWNER AT THE TIME OF THE VIOLATION;**

9 **(II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION,**
10 **EVIDENCE THAT THE PERSON NAMED IN THE CITATION WAS NOT OPERATING THE**
11 **VEHICLE AT THE TIME OF THE VIOLATION; AND**

12 **(III) ANY OTHER ISSUES AND EVIDENCE THAT THE DISTRICT**
13 **COURT CONSIDERS PERTINENT.**

14 **(2) TO DEMONSTRATE THAT THE MOTOR VEHICLE OR THE**
15 **REGISTRATION PLATES WERE STOLEN BEFORE THE VIOLATION OCCURRED AND**
16 **WERE NOT UNDER THE CONTROL OR POSSESSION OF THE OWNER AT THE TIME OF**
17 **THE VIOLATION, THE OWNER MUST SUBMIT PROOF THAT A POLICE REPORT ABOUT**
18 **THE STOLEN MOTOR VEHICLE OR REGISTRATION PLATES WAS FILED IN A TIMELY**
19 **MANNER.**

20 **(3) TO SATISFY THE EVIDENTIARY BURDEN UNDER PARAGRAPH**
21 **(1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN THE CITATION SHALL PROVIDE**
22 **TO THE DISTRICT COURT EVIDENCE TO THE SATISFACTION OF THE DISTRICT**
23 **COURT OF WHO WAS OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION,**
24 **INCLUDING, AT A MINIMUM, THE OPERATOR'S NAME AND CURRENT ADDRESS.**

25 **(4) (I) THE PROVISIONS OF THIS PARAGRAPH APPLY ONLY TO A**
26 **CITATION THAT INVOLVES A CLASS E (TRUCK) VEHICLE WITH A REGISTERED GROSS**
27 **WEIGHT OF 26,001 POUNDS OR MORE, CLASS F (TRACTOR) VEHICLE, CLASS G**
28 **(TRAILER) VEHICLE OPERATED IN COMBINATION WITH A CLASS F (TRACTOR)**
29 **VEHICLE, OR CLASS P (PASSENGER BUS) VEHICLE.**

30 **(II) TO SATISFY THE EVIDENTIARY BURDEN UNDER**
31 **PARAGRAPH (1)(II) OF THIS SUBSECTION, THE PERSON NAMED IN A CITATION**
32 **DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PROVIDE TO THE**
33 **DISTRICT COURT A LETTER, SWORN TO OR AFFIRMED BY THE PERSON AND MAILED**
34 **BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, THAT:**

1 1. STATES THAT THE PERSON NAMED IN THE CITATION
2 WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE VIOLATION; AND

3 2. PROVIDES THE NAME, ADDRESS, AND DRIVER'S
4 LICENSE IDENTIFICATION NUMBER OF THE PERSON WHO WAS OPERATING THE
5 VEHICLE AT THE TIME OF THE VIOLATION.

6 (5) (I) IF THE DISTRICT COURT FINDS THAT THE PERSON NAMED
7 IN THE CITATION WAS NOT OPERATING THE VEHICLE AT THE TIME OF THE
8 VIOLATION OR RECEIVES EVIDENCE UNDER PARAGRAPH (4)(II)2 OF THIS
9 SUBSECTION IDENTIFYING THE PERSON DRIVING THE VEHICLE AT THE TIME OF THE
10 VIOLATION, THE CLERK OF COURT SHALL PROVIDE TO THE AGENCY ISSUING THE
11 CITATION A COPY OF ANY EVIDENCE SUBSTANTIATING WHO WAS OPERATING THE
12 VEHICLE AT THE TIME OF THE VIOLATION.

13 (II) ON RECEIPT OF SUBSTANTIATING EVIDENCE FROM THE
14 DISTRICT COURT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AGENCY
15 MAY ISSUE A CITATION AS PROVIDED IN SUBSECTION (F) OF THIS SECTION TO THE
16 PERSON WHO THE EVIDENCE INDICATES WAS OPERATING THE VEHICLE AT THE TIME
17 OF THE VIOLATION.

18 (III) A CITATION ISSUED UNDER SUBPARAGRAPH (II) OF THIS
19 PARAGRAPH SHALL BE MAILED NOT LATER THAN 2 WEEKS AFTER RECEIPT OF THE
20 EVIDENCE FROM THE DISTRICT COURT.

21 (I) IF THE CIVIL PENALTY IS NOT PAID AND THE VIOLATION IS NOT
22 CONTESTED, THE ADMINISTRATION MAY REFUSE TO REGISTER OR REREGISTER OR
23 MAY SUSPEND THE REGISTRATION OF THE MOTOR VEHICLE.

24 (J) A VIOLATION FOR WHICH A CIVIL PENALTY IS IMPOSED UNDER THIS
25 SECTION:

26 (1) IS NOT A MOVING VIOLATION FOR THE PURPOSE OF ASSESSING
27 POINTS UNDER § 16-402 OF THIS ARTICLE AND MAY NOT BE RECORDED BY THE
28 ADMINISTRATION ON THE DRIVING RECORD OF THE OWNER OR DRIVER OF THE
29 VEHICLE; AND

30 (2) MAY NOT BE CONSIDERED IN THE PROVISION OF MOTOR VEHICLE
31 INSURANCE COVERAGE.

32 (K) IN CONSULTATION WITH LAW ENFORCEMENT AGENCIES, THE CHIEF
33 JUDGE OF THE DISTRICT COURT SHALL ADOPT PROCEDURES FOR THE ISSUANCE
34 OF CITATIONS, TRIALS FOR VIOLATIONS, AND THE COLLECTION OF CIVIL PENALTIES
35 IMPOSED UNDER THIS SECTION.

1 (L) (1) AN AGENCY OR AN AGENT OR A CONTRACTOR DESIGNATED BY THE
 2 AGENCY SHALL ADMINISTER AND PROCESS CIVIL CITATIONS ISSUED UNDER THIS
 3 SECTION IN COORDINATION WITH THE DISTRICT COURT.

4 (2) IF A CONTRACTOR IN ANY MANNER OPERATES A ~~TRAFFIC~~
 5 ~~CONTROL DEVICE~~ STOP SIGN MONITORING SYSTEM OR ADMINISTERS OR PROCESSES
 6 CITATIONS GENERATED BY A ~~TRAFFIC CONTROL DEVICE~~ MONITORING SYSTEM ON
 7 BEHALF OF A LOCAL JURISDICTION, THE CONTRACTOR'S FEE MAY NOT BE
 8 CONTINGENT ON A PER-TICKET BASIS ON THE NUMBER OF CITATIONS ISSUED OR
 9 PAID.

10 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
 11 2025, the Prince George's County Department of Public Works and Transportation shall
 12 report to the Governor and, in accordance with § 2-1257 of the State Government Article,
 13 the General Assembly on:

14 (1) through October 1, 2025:

15 (i) the time period during which stop sign monitoring systems were
 16 in use in the county; and

17 (ii) the number of warnings and citations issued as a result of
 18 violations recorded by a stop sign monitoring system in the county over the reported time
 19 period, by location and date;

20 (2) (i) the costs associated with implementing and operating stop sign
 21 monitoring systems; and

22 (ii) the revenue collected on a monthly basis as a result of violations
 23 recorded by stop sign monitoring systems;

24 (3) appropriate locations for the deployment of stop sign monitoring
 25 systems;

26 (4) the performance and reliability of stop sign monitoring systems used by
 27 the county; and

28 (5) the effectiveness of stop sign monitoring systems in reducing violations,
 29 crashes, and pedestrian injuries in the county and in areas where the stop sign monitoring
 30 systems were implemented and used.

31 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 32 October July 1, 2024. It shall remain effective for a period of 5 years and, at the end of
 33 June 30, 2026 2029, this Act, with no further action required by the General Assembly,
 34 shall be abrogated and of no further force and effect.